

FIRST AMENDMENT TO CONTRACT DA-5131 BETWEEN
THE CITY OF LOS ANGELES AND
CMTS, LLC

This First Amendment is made and entered into this _____ day of _____, 2018, at Los Angeles, California by and between the City of Los Angeles, a municipal corporation (hereinafter referred to as "City"), acting by and through the Board of Airport Commissioners (hereinafter referred to as "Board") of the Department of Airports (hereinafter referred to as "Department" or "LAWA") and CMTS, LLC. (hereinafter referred to as "Consultant").

RECITALS

WHEREAS, City and Consultant entered into Contract No. DA-5131 (hereinafter referred to as "Contract") dated November 7, 2016 for project management and construction management services; and,

WHEREAS, the parties hereto desire to amend this Contract.

NOW, THEREFORE, in consideration of the covenants and conditions hereinafter contained to be kept and performed by the respective parties hereto, IT IS MUTUALLY AGREED that Contract No. DA-5131 BE AMENDED AS FOLLOWS:

Section 1.0 Subsection 7.2 of Section 7.0, Payment for Services, is deleted in its entirety and replaced with the following:

"For all Services rendered under this Contract, all costs, direct or indirect, and all expenses incurred by Consultant pursuant to this Contract, the total compensation to be paid to the Consultant for all services rendered under this contract shall not exceed the total sum of Eight Million Dollars (\$8,000,000.00) for the term of the contract"

Section 2.0 It is understood and agreed by and between the parties hereto that, except as specifically provided herein, this First Amendment shall not in any manner alter, change, modify, or affect any of the rights, privileges, duties or obligations of either of the parties hereto under or by reason of Contract No. DA-5131 and except as expressly amended herein, all terms, covenants, and conditions of Contract No. DA-5131, and all amendments thereto, shall remain in full force and effect.

IN WITNESS WHEREOF, the Department has caused this First Amendment to be executed on its behalf by the Chief Executive Office and Consultant has caused the same to be executed by its duly authorized officers, all as of the day and year first hereinabove written.

APPROVED AS TO FORM:
MICHEL N. FEUER,
City Attorney

CITY OF LOS ANGELES

Date: April 6, 2018

By: _____

By: J. Timothy J.
Deputy/Assistant City Attorney

Chief Executive Officer
Department of Airports

By: _____

Chief Financial Officer

ATTEST:

CMTS, LLC

By: [Signature]
Signature (Chief Operating Officer)

By: [Signature]
Signature

Yvonne McClain
Print Name

K. Hezekiah Harris II
Print Name

President / Managing Member
Print Title

[SEAL]